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9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

11 GARY TANNER,

12 Petitioner,

13 v.

14 KENNETH QUINN,

15 Respondent.
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Case No. C08-5233RBL/JKA

ORDER ADOPTING REPORT
AND RECOMMENDATION

17 The Court having reviewed the Report and Recommendation of the Hon. J. Kelley Arnold
18 United States Magistrate Judge, objections to the Report and Recommendation, if any, and the
19 remaining record, does hereby find and Order:

- 20 (1) The Court adopts the Report and Recommendation;
- 21 (2) This petition is **DISMISSED WITHOUT PREJUDICE** for failure to provide
22 service copies and failure to prosecute the action.
- 23 (3) The clerk is directed to send copies of this Order to Petitioner, and the Hon. J. Kelley
Arnold.

24 DATED this 17th day of November, 2008.

25 
26 RONALD B. LEIGHTON
27 UNITED STATES DISTRICT JUDGE
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